

United States Senate
WASHINGTON, DC 20510

November 17, 2017

Mr. Greg Ibach
Under Secretary for Marketing and Regulatory Programs
U.S. Department of Agriculture
1400 Independence Avenue SW
Washington, DC 20250

Dear Mr. Ibach:

As you begin your new position at the United States Department of Agriculture, I would like to express my support for efforts to lessen regulatory burdens on farmers and business owners. For far too long, the USDA has failed to address simple regulatory reforms of which I have shared with the current and previous Administrations. Specifically I am concerned that the Animal and Plant Health Inspection Service (APHIS) has moved painfully slow in finalizing rulemaking and I would implore you to direct APHIS to resolve these long standing matters.

The first rule at issue is the proposal setting Thresholds for De Minimis Activity and Exemptions from Licensing under the Animal Welfare Act¹. This is a prime example of burdensome federal regulation that lacks basic common sense. Under current regulation exhibitors must obtain a federal government license and create a government-approved emergency plan for those animals. This surprisingly includes magicians who keep a limited number of rabbits for their business. Recognizing the absurdity of this in the 2014 Farm Bill, the Agency was given authority to propose a de minimis definition to address the needs of these small animal exhibitors. Now, more than three years later APHIS still has not finalized a reasonable rule and in the proposal rule which was published would not have covered the single magician who had brought this issue to the Congress in the first place.

The idea that any magician who keeps a limited number of rabbits or other common animals at home needs federal government licenses to do so flies in the face of common sense and can serve only to alienate well-meaning citizens from the many important roles and functions of the federal government. Therefore I urge you to finalize a rule to clearly exempt these operations that have no business being regulated by the USDA.

In addition, I encourage you to finalize the proposed rules for the Importation of Sheep, Goats, and Certain Other Ruminants². These proposed rules are an opportunity to increase international trade of ruminants and improve genetic diversity of our country's ruminant species. The import prohibition of live sheep, goats, and their products from countries at risk for bovine spongiform encephalopathy (BSE) and scrapie are no longer scientifically warranted. While food safety and animal health should always be

¹ Docket No. APHIS-2014-0059

² Docket No. APHIS-2009-0095

a paramount priority for the USDA, this particular restriction dampens U.S. imports and is again an example of unwarranted regulation.

I have heard directly from Missouri producers how allowing the importation of sheep genetics from Mexico could benefit their operations. Unfortunately, APHIS has not taken any action on this rule since September 16, 2016 when the comment period closed, despite receiving overwhelmingly positive comments. I am hopeful that under your direction the finalization of this rule can proceed quickly.

Thank you for your attention to these matters.

Sincerely,



Claire McCaskill
United States Senator